

ENTERED

January 06, 2020

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DEBRA DENISE BLACKWELL,

Plaintiff,

v.

CITY OF SUGAR LAND,

Defendant.

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CIVIL ACTION H-18-4007

ORDER

Pending before the court is defendant City of Sugar Land's ("Sugar Land") motion to dismiss plaintiff Debra Denise Blackwell's amended complaint (Dkt. 19) for failure to state a claim. Dkt. 11, 21. In part, Sugar Land reasserts its previous motion to dismiss Blackwell's original complaint. Dkt. 21 at 4. Blackwell never responded to Sugar Land's first motion. Blackwell did request multiple extensions of time to respond to Sugar Land's initial motion, to which Sugar Land repeatedly agreed. Dkts. 12, 15. Despite receiving her requested extensions, Blackwell sought leave to amend her original complaint instead of responding, and Sugar Land again consented. Dkt. 18.

Now, Blackwell has declined to respond to Sugar Land's current motion. The time for response has elapsed. Fed. R. Civ. P. 12(a)(4). Because Sugar Land's motion is unopposed, the court is of the opinion that it should be GRANTED. Local Rule 7.4 ("Failure to respond to a motion will be taken as a representation of no opposition.").

Sugar Land's motion to dismiss (Dkt. 21) is GRANTED WITHOUT PREJUDICE.

Signed at Houston, Texas on January 3, 2020.



Gray H. Miller
Senior United States District Judge